

August 18, 2014

VIA ECF

The Honorable Denise L. Cote
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1610
New York, NY 10007-1312

Re: *FHFA v. Goldman, Sachs & Co.*, No. 11 Civ. 6198 (S.D.N.Y.) (DLC);
FHFA v. Ally Fin. Co., No. 11 Civ. 7010 (S.D.N.Y.) (DLC)

Dear Judge Cote:

We write on behalf of Plaintiff Federal Housing Finance Agency (“FHFA”) regarding three letters submitted by Defendants Goldman Sachs *et al.* on August 11 and 12, 2014, in connection with three motions *in limine* and suggesting a schedule for proposed redactions to each of the motions. Specifically, we write in regards to: 1) the August 11, 2014 Letter enclosing Goldman Sachs’ Motion to Exclude the Expert Testimony of Richard W. Payne III Based on Purported “Minimum Industry Standards,” filed in the *Goldman Sachs* action, requesting that the parties file proposed redactions with the Court on August 19; 2) the August 11, 2014 Letter enclosing Goldman Sachs’ Consolidated Motions to Exclude the Expert Testimony of FHFA’s Reunderwriting Experts Regarding Owner Occupancy Status, filed in both the *Goldman Sachs* and *Ally* actions, requesting that the parties file proposed redactions with the Court on August 19; and 3) the August 12, 2014 Letter enclosing Goldman Sachs’ Motion to Exclude the Expert Testimony of Richard W. Payne III Concerning Purported Origination Defects in the Sample Loans Based on Documents Missing From Current Versions of Loan Files, filed in the *Goldman* action, requesting that the parties file proposed redactions with the Court on August 20.¹

In light of the volume of these submissions, we request that the parties be given until Friday, August 22, to submit proposed redactions to the Court for all three motions. We have met and conferred with Goldman Sachs, and they agree to this request.

Conrad.

*Denise Cote
8/18/14*

MEMO ENDORSED

¹ The Court so-ordered the August 11 Letters on August 12. No. 11 Civ. 6198, Dkt. No. 850; No. 11 Civ. 7010, Dkt. No. 992. The August 12 Letter remains pending.

Respectfully submitted,

/s/ Sascha N. Rand

Sascha N. Rand
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010-1601
(212) 506-1700

Attorney for Plaintiff Federal Housing Finance Agency in FHFA v. Goldman, Sachs & Co.

/s/ Christopher P. Johnson

Christopher P. Johnson
KASOWITZ, BENSON, TORRES &
FRIEDMAN, LLP
1633 Broadway
New York, NY 10019
(212) 506-1700

Attorney for Plaintiff Federal Housing Finance Agency in FHFA v. Ally Fin. Co.